

JONATHAN O. PENA, ESQ.
CA Bar ID No. 278044
Peña & Bromberg, PLC
2440 Tulare St., Suite 320
Fresno, CA 93721
Telephone: 559-412-5390
Fax: 866-282-6709
info@jonathanpena.com
Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JON MICHAEL SEYMOUR,
Plaintiff,
vs.
KILOLO KIJAKAZI, Acting
Commissioner of Social Security,
Defendant.

Case No. 1:21-cv-00619-DAD-BAM
STIPULATION AND ORDER FOR
EXTENSION OF TIME

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from March 21, 2022 to May 20, 2022, for Plaintiff to serve on defendant with Plaintiff's Opening Brief. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's second request for an extension of time. Good cause exists for this extension. As this Court is well aware, Social Security case filings in federal court increased due to a combination of factors including an increase in

1 appeals council decisions and an increase in hearings at the administrative levels.
2 Then, as a result of the pandemic, shelter-in-place mandates, and Court ordered
3 Stays, there were significant delays in producing transcripts. In recent months,
4 Counsel for the Plaintiff has received a greater-than-usual number of Answers and
5 Certified Administrative Records from defendant including over 60 cases in
6 November and December 2021.

7 For the weeks of March 14, 2022 and March 21, 2022, Counsel for Plaintiff
8 has 13 merit briefs, and several letter briefs and reply briefs. For the month of
9 April 2022, Counsel has over 20 merit briefs currently calendared, with that
10 number expected to grow.

11 Furthermore, Counsel for the Plaintiff has a pre-planned major surgery the
12 week of March 14, 2022. Lastly, another attorney with the firm, Ms. Dolly
13 Trompeter, is currently out of state due to her father's medical condition and as a
14 result, the undersigned has taken on additional matters compounding the need for
15 an additional extension.

16 Counsel for the Plaintiff does not intend to further delay this matter.
17 Defendant does not oppose the requested extension. Counsel apologizes to the
18 Defendant and Court for any inconvenience this may cause.

19
20 Respectfully submitted,

21 Dated: February 23, 2022 PENA & BROMBERG, ATTORNEYS AT LAW
22

23 By: /s/ Jonathan Omar Pena
24 JONATHAN OMAR PENA
25 Attorneys for Plaintiff
26

27 Dated: February 23, 2022 PHILLIP A. TALBERT
28 United States Attorney
WILLY LE

Acting Regional Chief Counsel, Region X
Social Security Administration

By: **/s/ David J. Burdett*
David J. Burdett
Special Assistant United States Attorney
Attorneys for Defendant
(*As authorized by email on February 23, 2022)

ORDER

Based upon the stipulation of the parties, and for cause shown, IT IS HEREBY ORDERED, that Plaintiff shall have an extension of time, to and include May 20, 2022, in which to file Plaintiff's Opening Brief; and that all other deadlines set forth in the Court's Scheduling Order (Doc. 5) shall be extended accordingly.

IT IS SO ORDERED.

Dated: March 10, 2022

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE